

ELCA Review Committee, Texas-Louisiana Gulf Coast Synod
Submitted to Committee, December 9, 2011
By C.J.Dean

Request to Disallow Amendments to Constitution

To: Texas-Louisiana Gulf Coast Synod
Attn: Synod 4.D—Northern Texas-Northern Louisiana
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From: C. J. Dean, Advocate for Advent Lutheran Church's Class of Undesirable People

Date: December 9, 2011

Dears Sirs:

At the November 13, 2011 called Congregational Meeting numerous Amendments were approved. This challenge is only to three of the Amendments (below).

C9.02.:

Only a member of the clergy roster of the Evangelical Lutheran Church in America or who has been recommended for it by the synodical bishop may be called as a pastor of this congregation. Advent Lutheran Church as a congregation of the Evangelical Lutheran Church in America will not call a pastor or lay rostered leader who is or intends to be in a same-gender sexual relationship.

C9.05.(a)(7):

Advent Lutheran Church will not perform, authorize, or allow in any of its church facilities any ceremony of same sex marriages, civil unions, or blessings of persons in same gender sexual relationships.

Bylaws Part V(D)(3)(c):

Advent Lutheran Church will not perform, authorize, or allow in any of its church facilities any ceremony of same-sex marriages, civil unions, or blessings of persons in same gender sexual relationships.

I request that the above three Proposed Constitutional Amendments (“the Amendments”) of Advent Lutheran Church not be allowed to become effective. If the synod fails to exercise its power within 120 days from the date of the receipt of the notice by the synod, the Proposed Amendments will become effective. **(ELCA Constitution 9.53.03.)**

The territory of the Texas-Louisiana Gulf Coast Synod includes Harris County **(Texas-Louisiana Gulf Coast Synod Constitution, †S3.01.)** Within the Texas-Louisiana Gulf Coast Synod is Synod 4.D—Northern Texas-Northern Louisiana. The territory of synod 4.D includes Harris County where Advent Lutheran Church is located. **(ELCA bylaws 10.01.11.)** The T-L Gulf Coast Synod, and more particularly synod 4.D. bears primary responsibility for the oversight of the life and mission of Advent Lutheran Church within its territory. **(T-LGCS Const. †S6.03.)**

The Amendments make a divisive statement towards gay and lesbians. The Proposed Amendments **(1)** set up intrinsic conflict with mission implementation within Advent’s own Constitution. The Proposed Amendments **(2)** set up a mission conflict within the constitution and bylaws of the Evangelical Lutheran Church in America, and **(3)** within “the constitution of the Texas-Louisiana Gulf Coast Synod”.

I do not want to appear overly pedantic, but Advent’s setting up this divisive rule today is going to lead to an implementation in the future. The Proposed Amendments set up a class of undesirable people who have less privileges than the rest of the people. The future implementation of the Proposed Amendments will set up situations that will counteract the purpose and mission of Advent and the ELCA.

Making a divisive statement today about a group of people does not simply exist in a vacuum. Advent’s Proposed Amendments set in motion an endless series of future implementation problems.

Why I Choose to Represent Advent’s Class of Undersireables

Initially I thought this class of undesirable people could fend for itself, UNTIL I read the Proposed Amendments that Council provided to the Congregation. As I read I began to realize how uncertain the membership in this undesirable class is and how harmful our Amendments will be if allowed to become effective.

I do not know whether we presently have any gay or lesbian members on the church roll; considering some of the past events, they may have all left our church. I do not know for a fact that we have ever had gays or lesbians on the membership roll, however when one considers their prevalence within the general population (Statistics vary.), it is likely that we have. In our worship services I see babies, children, teenagers, and young adults whose predilections may yet

be undetermined or manifested. Some parents may know that when they have two male children, the second is more likely to exhibit gay tendencies, and the statistics become progressively worse with future children.

Some people will be born into the undesirable group, and others will die out of it. Others will enter and leave as they change where they live, etc. Some people will not know they are members of the class until they are old enough to learn that they are also targets of the perpetual divisive statement. I am thinking especially about teenagers and young adults around the country who have committed suicide due to bullying, teasing, outing, and divisive statements. I do not like the idea of my own church contributing to the problem.

While Advent's divisive statement hides behind such words as "same-gender", "same gender", "same sex", "same-sex", and "the ELCA matter", we know these as code words for a divisive statement against gays and lesbians. People do not choose to be members of the class of undesirables. Members of this class just realize that they belong in it, usually after failing at *trying to pass*.

How easy it is for each of us to pigeon-hole people into categories where we think they belong. When one considers statistics, as disturbing and as embarrassing as they may be, one must realize that it is just a matter of time until some of us come to regret what we have done to one of our own relatives or friends.

This group, as far as I can tell, has no member who is able and willing to be an advocate for the group's interests. It is the predicament of teenagers and young adults that most disturbs me. It would be easy to ignore this, but I will not. **I consider it a responsibility as well as a privilege to represent Advent Lutheran Church's class of undesirables.**

Although the Proposed Amendments only target one group of people, they inadvertently create an offended class of people who are not members of the undesirable class but by their relation (parent, sibling, child, friend, etc.) will be so offended that they may as well be members of the undesirable class. The Proposed Amendments are not the best way to win friends and influence people.

Just think about a comparison as part of the scientific method, where two groups of Lutherans are identical. No change is made in the control group. The test group has a class of undesirable people base on their innate characteristics. There is the same number of undesirable people in the control group, but no attention is made of them. The two groups of Lutherans engage in church related activities, trying to make Christ known. The observers of this experiment try to isolate the effects, if any, on the test group that has the class of undesirables. Consider this as you read on.

[1] Intrinsic Conflict with Advent's Constitution

Following are some, not all, of the more salient conflicts and problems that the Amendments set up with Advent's Constitution.

The divisiveness of the Proposed Amendments cannot help with adherence to **C12.04**:

- (a) Unequal treatment of any class of people (i.e., gays & lesbians) within our congregation sets up an unfriendly process for the undesired class and others. Such an unfriendly process is not conducive to any legitimate mission, long-range planning, setting goals and priorities, and evaluating our activities in light of our mission and goals. Unequal treatment makes any mission under **C12.04(a)** difficult to implement.

The divisiveness of the Amendments could not be good for visitation or recruitment. As embarrassing as it may be, visitation is designed to up the ante on the budget. Visitation is seldom designed for exercise. It is not likely that invitees would be forewarned of our divisive Amendments, yet we would want them to attend Advent and make donations. Newcomers will do a qualitative assessment of their time, talents, and especially their money that they should part with. An attempt to eliminate any hint of deception could be an embarrassment:

Hello. I'd like to invite you to Advent Lutheran Church. I've got to tell you up front though, that if you are gay or lesbian you will not be able to enjoy the same rights as the rest of us good folks. I hope to see you on Sunday.

- (b) The Amendments are not conducive to involving "all members of this congregation in worship, learning, witness, service, and support." (**C12.04(b)**) The divisive Amendments that target gays and lesbians for unequal treatment cannot possibly involve them in the same degree of meaningful "worship, learning, witness, service, and support".
- (c) Unequal treatment as set out by the divisive Amendments is not conducive to any legitimate overseeing and providing for the administration of this congregation to enable it to fulfill its functions and perform its mission. (**C12.04(c)**)
- (d) Unequal treatment as set out by the divisive Amendments is not conducive to **C12.04(d)**. Setting up a special classification for a group of undesirable people cannot enhance "relationships with the pastor(s) and staff and help them [] evaluate the fulfillment of their calling, appointment, or employment." (**C12.04(d)**) I have never heard of any pastor claiming to be called to see that members of an undesirable group stay in their place and do not pass themselves off amongst the rest of the congregation. I have never heard of a pastor being appointed for that purpose, yet the divisive Amendments would

require this, as the implementation process would require that a pastor enforce the results of the divisive Amendments that the subject of the challenge here.

- (e) The Amendments are not conducive to **C12.04(e)**. While it is hard to say exactly what “examples individually and corporately [] the style of life and ministry expected of all baptized persons” should be, it does not involve separating folks and putting them into categories; this is what will happen if we have different classifications of people in our church with each group arbitrarily required by our Constitution to be treated differently.
- (f) The Amendments are not conducive to **C12.04(f)**. It is not possible that setting up two classes of people, with essentially two values of worth, could “promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.” Any “mutual understanding” is initially handicapped if one party to a conflict is a member of an inferior class.
- (g) It is not reasonable to expect a group of people who have been pigeon-holed into an inferior class could adequately participate in even a mundane process of “arrang[ing] for pastoral service during the sickness or absence of the pastor.” **(C12.04(g))** Even though this arrangement is supposed to be overseen by Congregational Council, the Proposed Amendments would make this a bit more difficult and surely would offer no benefit.
- (h) The Amendments are not conducive to partnership with the synod (unless the synod is also involved in the same sort of divisiveness), or with churchwide units of the Evangelical Lutheran Church in America (unless such churchwide units are also involved in the same sort of divisiveness), or with other Lutheran and non-Lutheran congregations (unless they are also involved in the same sort of divisiveness). **(C12.04(h))**
- (i) The Amendments are not conducive to recommending and encouraging “the use of program resources produced or approved by the Evangelical Lutheran Church in America.” It is wrong that such program resources would be used to benefit one class of persons more than another. **(C12.04(i))**

[2] Conflict with ELCA Constitution & Bylaws

Following are some, not all, of the more salient conflicts and problems that the Amendments set up with the ELCA Constitution & Bylaws.

It is not possible that Advent’s divisive Amendments would help in “reaching out to all people to bring them to faith in Christ.” Setting up a class of undesirable people and treating its members with less respect fails to accomplish the purpose of **Chapter 4**. It is hard to image how the Amendments would serve in “advocating dignity and justice for all people, working for peace

and reconciliation among the nations, and standing with the poor and powerless and committing itself to their needs.” **(ELCA Constitution 4.02(c))**

It is not possible that the Amendments could help the ELCA “Encourage and equip all members to worship, learn, serve, and witness; to fulfill their calling to serve God in the world; and to be stewards of the earth, their lives, and the Gospel.” **(4.03(b))**

The Amendments could not possible assist in any way with the ELCA “mission” as set out in **4.03(c)**. The Amendments would hinder the mission with respect to the people in the undesirable class, and surely could adversely affect people outside the undesirable class and would generally be offensive to other ELCA members who do not have an undesirable classification program in their church. It would be akin to having slavery in one church but not in others, and then arguing that the slave church would have no effect on the non-slave churches when they participate in common activities. **(4.03(c))**

The Amendments cannot enhance any ELCA effort to “Foster Christian unity by participating in ecumenical activities.” The Amendments cannot help with ELCA efforts at “contributing [] witness and work and cooperating with other churches.” It is more likely that Advent’s classification of undesirables would offend others engaged in “ecumenical activities.” **(4.03(e))**

The Amendments cannot be helpful with any ELCA effort at “contributing its witness and work and cooperating with other churches which confess God the Father, Son, and Holy Spirit.” **(4.03(e))** Again, this is akin to slave churches and non-slave churches working together and saying there is just no problem.

The Amendments cannot assist with the ELCA’s effort to “Assure faithfulness to this church’s confessional position and purpose and provide for resolution of disputes.” **(4.03(j))** When two or more parties engage in resolution of disputes, each party must be treated with respect. Setting up a class of undesirable people is not a reasonable way to engender resolution of disputes.

The Amendments cannot be expected to assist with ELCA’s effort at being “committed to be an inclusive church in the midst of division in society.” It is devisiveness such as Advent’s the Amendments that the ELCA is “committed” to counteract. The Amendments are in opposition to the ELCA’s efforts to “seek to exhibit the inclusive unity that is God’s will for the Church.” **(5.01(b))**

Section **5.01(d)** speaks of the requisite “Confession of Faith and Statement of Purpose and such structural components as are required” that must be included in Advent’s “governing documents”. The implementation of Advent’s Amendments is likely to contravene its stated purpose, and will hinder the implementation of the ELCA Constitution & Bylaws. **(5.01(d))**

Under **5.01(c)**, Advent is “the principal party responsible for decision and implementation” of its Amendments. However, there is “an interdependent relationship” between Advent and the ELCA, and other entities will have to facilitate and assist with the implementation of Advent’s divisive Amendments. **(5.01(c))** It is bad enough that people within Advent will be inconvenienced with the divisiveness that the Amendments make; other entities should not be burdened with it. Making a divisive statement, with no forethought as to its future effects and how they should be dealt with, is bad policy and should not be allowed.

The Amendments cannot be expected to assist with the ELCA’s effort with **5.01(i)**. (“As a steward of the resources that God has provided, this church shall organize itself to make the most effective use of its resources to accomplish its mission.”) People are resources, even those who belong in the undesirable class. Classifying people into an undesirable class is not the most effective use of resources and it fails to accomplish any legitimate mission.” **(5.01(i))**

[3] Conflicts with the Texas-Louisiana Gulf Coast Synod Constitution

Following are some, not all, of the more salient conflicts and problems that the Amendments set up with the Texas-Louisiana Gulf Coast Synod Constitution.

The Proposed Amendment cannot help the synod plan for a reasonable “mission” that is “consistent with churchwide policy.” The synod would be too busy contending with Advent’s class of undesirables and implementing the divisive Amendments. **(T-L Gulf Coast Synod S6.03)**

The Amendments cannot help with “encouragement of financial support for the work of this church by individuals and congregations”. **(S6.03(e)(5))** This cannot be expected when Advent’s class of undesirables cannot use the facilities and programs that they would supposedly be paying for.

The Amendments cannot help with any “provision for resources for congregational life.” **(S6.03(e)(6))** The reason is similar to the above paragraph. You would be asking Advent’s class of undesirables to work as hard as everyone else while benefiting less.

The Amendments cannot help with “carrying out their ministries in the world”. **(S6.03(e)(7))** A perpetual divisive statement can only be a hindrance here.

The Amendments cannot help the synod produce up any “social statement”, and would in all likelihood make this more difficult. **(S6.03(e)(7))**

The Amendments cannot help “Promote interdependent relationships among congregations, synods, and the churchwide organization, and enter into partnership with other synods in the region”, and would in all likelihood be a hindrance. **(S6.03(f))**

The Amendments cannot help “Participate in churchwide programs and develop support for the ministry of the churchwide organization,” but would instead be a hinderance. **(S6.03(g))**

The Amendments cannot help “Foster the grouping of congregations in conferences, clusters, coalitions, or other area subdivisions for mission purposes”, and would in all likelihood be a hindrance. Instead of “grouping” you would have divisiveness. **(S6.03(h))**

The Amendments cannot lend support for relationships that “provide partnership funding on behalf of colleges, universities, and campus ministries”, because those in the undesirable group do not get the full benefits to which they would (in theory) be contributing. **(S6.03(i))**

The Amendments cannot help “foster relationships” for any “partnership funding on behalf of social ministry organizations”, because those in the undesirable group do not get the full benefits to which they would (in theory) be contributing, fostering, or promoting. **(S6.03(j))**

The Amendments cannot help with any maintenance of relationships for providing “partnership funding on behalf of seminaries and continuing education centers”, because those in the undesirable group do not get the full benefits to which they would (in theory) be contributing, fostering, or promoting. **(S6.03(k))**

The Amendments cannot help “Foster supporting relationships with camps and other outdoor ministries”. Camps and outdoor ministries frequently involve children and teenagers. Too many have already committed suicide as a result of unkind statements and classifications. The Amendments would add to the problem. **(S6.03(l))**

The Amendments cannot help “Foster supporting relationships with preschools, elementary schools, and secondary schools operated by congregations of this synod”. Too many teenagers have already committed suicide as a result of unkind statements and classifications. The Amendments would add to the problem. **(S6.03(m))**

The Amendments cannot help “Interpret the work of this church to congregations and to the public” **(S6.03(n))**. Divisive and unkind statements cannot be helpful here.

The Amendments cannot help with respect to **S6.03(o)**. (“Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.”) **(S6.03(o))** The divisiveness of the Amendments would be an impediment.

The Amendments cannot help with respect to any “functions” or doing anything “cooperatively with other synods and the churchwide organization.” **(S6.03(q))** The divisiveness of the Amendments can only serve as an impediment.

This Matter Inadequately Presented to the Advent Congregation

The Proposed Amendments do not comport with **Advent’s Constitution C16.03**. An explanation of the pros and cons on each change would have been nice “at least 30 days in advance of the Congregation Meeting.” **(C16.03)** Council failed to explain that the Proposed Amendments engender great likelihood of future conflicts and Council failed to explain how this can be dealt with.

The numerous constitutional changes were initially presented to the Congregation as a false dichotomy. It was not accompanied by a sample ballot. Church members were not able to know in advance that they would later be confronted with a ballot with multiple choices, giving a line-item (yes/no) option for each amendment. The result was that members did not know how to prepare for the vote. Many assumed it would be an all or nothing affair, sort of like voting on our budget where members are forced to swallow the whole thing even if they do not like parts of it.

No Adherence to C17.01.

Since the Congregation is excluded from so many non-exempt documents, the Congregation has no reasonable way to know whether **C17.01** has been followed. Council’s providing the Congregation with a summary of a summary of a summary is not adequate, and is not within the spirit of the **C17.01**.

The drafting process

Most members had no ability to have knowledge of the drafting process or have any input. The drafting process was devoid of any consideration of the future implementation problems as set out herein.

Election of Remain with ELCA

Advent Lutheran Church decided (albeit informally) quite some time ago to remain with the ELCA, and not to disaffiliate itself from the ELCA. Such decision would make it appear that at least a lot of Advent’s members chose to work with, and not against, the ELCA. Now Council has induced the Congregation into essentially disaffiliating itself from the ELCA’s mission, and setting up obstacles to the ELCA’s mission, while continuing to affiliate with the ELCA. Council could only accomplish this by keeping the Congregation uninformed, as no truly

informed Congregation would go along with this.

Congregation not Informed

The Congregation has no way to reasonably monitor Council and stay truly informed because of Council's censorship practice. Council's practice of summarizing, and presenting a condensed form of what Council wants the Congregation to see, is not good enough. The Congregation has not delegated away the authority to have access to non-exempt material. Yet Council has gone out of its way to make material unavailable to restrict information to the Congregation.

("Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation.") (**Advent's Constitution, C5.03.**)

No Study Done

It would be wrong of any ELCA church council to recommend to its congregation to take action that the council knows, or should know, would not benefit a future relationship with the ELCA. Council has failed to learn of the many negative attributes that are incident to the Amendments.

There has been discussion on whether members wanted to split from the ELCA, and the Congregation did not decide to split. However, there have been no serious studies regarding the future implementation problems and the impediment that the divisive Amendments will be to a future relationship with the ELCA. Thus, Council cannot inform the Congregation of what Council does not know, nor can Council solicit input from the Congregation regarding implementation problems that it is not aware of, nor can Council make any reasonable stab at ascertaining whether the Amendments might in any way benefit a future relationship with the ELCA. If however, any studies exist, they too have been made unavailable the general Congregation. There is no evidence that the implementation problems as set out herein have been addressed.

Perhaps some future study, if Council decides to do one, might show that the Amendments are in the best interest of the ELCA's mission. The beliefs and mission of the ELCA should be advanced, not hindered, if Advent's Council is to ethically and competently recommend the Amendments. Council should keep in mind that the majority of the Congregation has (albeit unofficially) decided to continue to affiliate with the ELCA and to support the ELCA's mission.

Summary

While we may perceive no implementation problem today, the divisiveness of Amendments will impede the reasonable missions of Advent Lutheran Church, the ELCA, and our synod in the

future. In order to feel the problem, one must first study it and become well aware of it, and this has not been done.

Congregations generally follow the lead of its church council. By presenting its congregation with certain issues (questions), and proposing certain answers, and proposing certain rationales to support the proposed answers, and proposing certain facts to support rationales, congregations can be led to whatever foregone conclusion a church council wants. The outcome can be manipulated by exposing a congregation to certain information and material, or by excluding a congregation from certain information and material. Knowledge is power. Lack of knowledge, if it can be inflicted on a group of people, can be powerful also. In the situation at hand, Council has done a disservice to the Congregation.

While “The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws,” (**Advent’s Constitution C5.02.**) it is not possible for this Congregation “to fulfill its purpose” (**C5.01.**) when the Congregational Council acts beyond its authority by censoring material that should be shared with the Congregation.

The synod should not allow the Amendments to take effect and it should send this matter back to Council for further study.
